

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 JENNIFER K. PARKS,

9 Plaintiff,

10 v.

11 MICHAEL J. ASTRUE, Commissioner of the
Social Security Administration

12 Defendant.

Case No. C11-769-RAJ-BAT

**REPORT AND
RECOMMENDATION**

13 Jennifer K. Parks brought an action seeking review of the denial of her application for
14 disability insurance by the Commissioner of the Social Security Administration. Dkt. 1. The
15 parties stipulate the case should be remanded, pursuant to sentence four of 42 U.S.C. § 405(g),
16 for further administrative proceedings. Dkt. 16.

17 Specifically, the parties stipulate that on remand, the Administrative Law Judge (“ALJ”)
18 shall hold a new hearing, issue a new decision, and:

- 19 1) assess plaintiff’s severe impairments, including degenerative disc disease, back pain,
20 and sleep apnea;
21 2) assess the other source opinion of James S. Christensen, P.T.;
22 3) assess the opinion of examining psychologist Kevin Morris, Psy.D.;
23 4) assess the lay witness testimony of plaintiff’s mother, Kathryn L. Parks-Chambers;

1 5) evaluate and further develop the medical opinions of record as needed following
2 reconsideration of the above evidence; and

3 6) re-evaluate plaintiff's residual functional capacity as necessary.

4 Plaintiff may also present new arguments and further evidence, if such evidence becomes
5 available.

6 The parties stipulate that this case be reversed and remanded to the ALJ on the above
7 grounds pursuant to sentence four of 42 U.S.C. § 405(g). The parties agree that reasonable
8 attorney fees and costs will be awarded under the Equal Access to Justice Act, 28 U.S.C. sec.
9 2412(d), upon proper request to the Court.

10 Having reviewed the pleadings and the administrative record, the Court recommends the
11 case be **REVERSED** and **REMANDED** for further administrative proceedings as set forth above.
12 As the parties stipulate to remand, the Court recommends if this recommendation is adopted, that
13 it be approved immediately. A proposed order accompanies this Report and Recommendation.

14 DATED this 18th day of October, 2011.

15
16 

17 BRIAN A. TSUCHIDA
18 United States Magistrate Judge
19
20
21
22
23